

**REMARKS**

1. This paper is responsive to the Office Action mailed January 30, 2003.

Reconsideration and further examination is respectfully requested.

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2. In brief, the present invention is an electronic test probe including a control.

3. Claims 8-12; 20-24 and 35-38 were rejected under 35 U.S.C. § 102(b) as being anticipated by Cake et al. (US 5293122). Please note that Figures 1B, 2B, and 3B in Cake et al. all include resistors and/or capacitors in the measurement path. For example, examining Figure 1B from Cake et al., Cake explains that, "In Fig. 1B, the probe tip 14 and the ground clip 13 correspond to terminals 26 and 28 respectively." (Cake et al., col. 2 lines 32-33). In Cake's Figure 1B, note that there is a resistor 24 electrically connected to node 28, which is connected to the ground clip 13. Further, in Cake's Figure 2B, note that in addition to resistor 24, there are resistors 167 and 168 electrically connected to node 28, which is connected to the ground clip 13. Also, in Cake's Figure 3B, in addition to resistor 24, there are five further resistors, 281, 282, 283, 284, and 285 electrically connected to node 28, which is connected to the ground clip 13. The problem with the invention described by Cake et al. is that by operating the switch(es) one is inserting electrical components into a circuit under test purely for the purpose of configuring the instrument. The quality of the circuit measurement would be suspect. Imagine a multimeter trying to use components in the test path as indicators of a desired change in the instrument, as shown in Cake. If the setting is on "voltage," and there is no voltage, there is no way to indicate a desired

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change of state to the multimeter. In applicant's invention the control is electrically isolated from the circuit under test. Note that in all of applicant's embodiments, the control device is electrically isolated from the device under test. Claims 8, 20, and 34, have been amended to clarify this distinction between applicant's invention and that of Cake et al.

4. Further, as shown in applicant's specification at page 6, lines 14-16 and page 5, lines 6-9, the test instrument is able to feedback information to the probe, which may then be displayed on the probe. Nowhere does Cake teach or disclose the circuitry necessary for information from the test instrument to be sent to the probe and displayed by the probe. In Cake, all of the information (if any is able to be sent) goes from the probe to the test instrument, no information travels from the test instrument to the probe. Thus, this element of applicant's invention is not present in Cake, and thus applicant's invention should not be subject to rejection under 35 U.S.C. § 102(b).
5. For these reasons, this application is considered to be in condition for allowance and such action is earnestly solicited.

Respectfully submitted,

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